

CONFIDENTIAL

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Saturday - 28 June 1975

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Acting Legislative Counsel

cc:

O/DDCI

Ex. Sec.

DDI DDA DDS&T

Mr. Warner

Mr. Parmenter

EA/DDO

Compt

Mr. Thuermer

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CRC, 11/17/2003

OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 24 June 1975

STAT [redacted]  
STAT [redacted]

1. [redacted] Received a call from Carol Pollack, in the district office of Representative George Miller (D., Calif.), who wished to have the address and telephone number of Air America for a constituent whose husband was killed while serving with it. I gave her the information she requested and told her that the Air America people would be happy to help her.

STAT 2. [redacted] Met with Lillian Smith, Minority staff, House Committee, and gave to her for Tom Smeeton, who was in a briefing, two charts showing the intelligence community and the Agency structure.

STAT 3. [redacted] Delivered to Senator Charles H. Percy's (R., Ill.) [redacted] a copy of the Agency publication entitled "The Soviet Economy: 1974 Results and 1975 Prospects" (A (ER 75-62)).

STAT 4. [redacted] Met with Tim Ingram, Subcommittee STATINTL on Government Information and Individual Rights, House Government Operations Committee staff, and provided him with a copy of the Director's prepared statement before the House Select Committee on Intelligence of 15 June 1975, per arrangements made by [redacted].

STAT 5. [redacted] Mr. Stevenson, on the staff of Senator John C. Culver (D., Iowa), called to ask for [redacted] reports from Somalia and the Soviet Union relating to the establishment of a Soviet naval facility in Somalia for the period 10-25 June. After checking with [redacted] I called him back saying that the reports would be mailed to him directly. STATSPEC STATSPEC

STAT 6. [redacted] Jay Sourwine, Counsel, Senate Judiciary Subcommittee on Internal Security, called on behalf of James L. George, a member of Senator Bill Brock's (R., Tenn.) staff. Senator Brock is extremely concerned about the attacks upon CIA and he wants to give a speech on the Senate floor on the nature and extent of KGB operations in the United States. George is compiling material for Brock's speech and contacted Sourwine. Sourwine felt that his material is insufficient and he asked if arrangements could be made for an Agency officer familiar with KGB operations to talk to George and provide him information and possibly material that Brock can use in his speech. I told Sourwine that I would check into this for him. Sourwine asked that we call George directly (224-1481) as to what can be arranged. STAT [redacted] [redacted]

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7. [redacted] Spoke with Kent Hughes, Congressional Research Service, Library of Congress, and told him in response to his earlier request, that I would be sending him a paper on statistics relating to the volume of trade between North Korea and Japan.

8. [redacted] Mike Cavanagh, Staff Assistant, House Post Office and Civil Service Subcommittee on Postal Facilities, Mail, and Labor Management, called on behalf of Chairman Charles H. Wilson (D., Calif.), expressing concern that the Director was appearing on Wednesday, 25 June 1975, before the House Government Operations Subcommittee on Government Information and Individual Rights, since his Subcommittee had been negotiating for several weeks for the Director to testify on the mail survey program and would have wanted that time for themselves. After explaining the circumstances of Chairwoman Bella S. Abzug's (D., N.Y.) request, Cavanagh felt sure that Chairman Wilson would understand. He asked if either 9 or 10 July would be acceptable. I said I would check it out and call him back.

9. [redacted] Tom Smeeton, on the staff of the House International Relations Committee, called and asked if our comments on Representative William S. Broomfield's (R., Mich.) draft bill to establish a select committee on intelligence was ready. I later called him back and said the material had been sent via courier earlier this morning.

10. [redacted] Per a call from Noel Daoust, on the staff of the House International Relations Committee, made arrangements for the OCI courier to deliver to Marian Czarnecki, Chief of Staff on the Committee, the 11 June 1975 transcript of the Director's testimony before the Oversight Subcommittee of the House International Relations Committee. The courier returned the transcript on this date as well. (Before the transcript was delivered, Mr. Cary was advised of the request.)

11. [redacted] Chuck Snodgrass, House Appropriations Committee staff, called on the status of the appropriations language that we had promised him. I told him it was being prepared and he would have it shortly.

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25X1 12. [ ] Called Frank Slatinshek, Chief Counsel, House Armed Services Committee, to tell him that we were in the process of preparing a paper on the disposition of SAT and asked if he needed anything further in view of the extensive background previously developed for them. Slatinshek said it might be helpful but wanted us to check with Bill Hogan, of the Committee staff.

25X1 13. [ ] Everett Bierman, ~~House International Relations Committee staff~~, called and said the material we sent him on the Joint Committee proposal was excellent but he needed further help with a provision pertaining to reports to committees on covert actions which I provided him.

25X1 14. [ ] Tom Sullivan, on the staff of Representative Sam Steiger (R., ARIZ.), called and said Mr. Steiger wanted to know the number of times Mr. Colby had appeared on the Hill. He said Mr. Steiger was going to go to Chairman Jack Brooks, House Government Operations Committee to try to cancel the hearing before the Subcommittee on Government Information and Individual Rights, that if Mr. Colby had not agreed to the hearings, the Chairman was prepared to serve him a subpoena, and that a Republican Conference was scheduled for Wednesday at 0930.

I later called Sullivan back and told him the Director had appeared before different committees 37 times this year which represents 41% of the time Congress has been in session.

25X1 15. [ ] Marshall Goldberg, Counsel, Subcommittee on Constitutional Rights, Senate Judiciary Committee, called to determine if the information we had sent to Justice and U.S. Attorney Silbert contained interior shots of Dr. Fielding's office taken by Howard Hunt. He said Silbert denies ever seeing interior shots. I told Goldberg I would check and be back in touch.

25X1 16. [ ] Called Cliff Hackett, ~~House International Relations Committee staff~~, and arranged for the Director to brief an informal group of members on the [ ] Hackett said he had secured room H 128 in the Capitol from 3:45 p. m. to 5:00 p. m. on Wednesday, 25 June. I told Hackett that staff members should not be present under existing ground rules and he reluctantly agreed to back off on this one.

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OFFICE OF LEGISLATIVE COUNSEL

Sunday - 22 June 1975

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[REDACTED]

1.

[REDACTED]

Called Bud McFarlane, NSC staff, and told him we had been requested by the ~~House International Relations Committee~~ to brief a group of Congressmen on the [REDACTED]

[REDACTED] McFarlane said he would check with General Scowcroft and later called back and said Scowcroft thought this would be a good idea.

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2.

[REDACTED]

Called Tim Ingram and James Kronfeld, Subcommittee on Government Information and Individual Rights, House Government Operations Committee staff, to go over some of the material they had requested in connection with the Director's appearance before that Subcommittee on Wednesday.

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[REDACTED]

[REDACTED]

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Acting Legislative Counsel

cc:  
O/DDCI

[REDACTED]

Ex. Sec.  
DDI DDA DDS&T  
Mr. Warner  
Mr. Parmenter

[REDACTED]

EA/DDO  
Comptroller

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[REDACTED]

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ADDENDUM TO JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 20 June 1975

1. [redacted] Called John Hotis, Legislative Liaison, FBI, on their position on providing members of the Senate Select Committee with FBI files or information on the members. The Attorney General wants to make materials available to the fullest extent possible and the Bureau is segregating the material under FOIA standards. They hope to have the material segregated and reach a general decision the middle of next week.

2. [redacted] Cliff Hackett, House International Relations Committee staff, called on behalf of Representative Lee Hamilton (D., Ind.) to request a briefing of a group of Congressmen on the [redacted] Hackett said Representatives Hamilton, John Brademas (D., Ind.), Dante Fascell (D., Fla.), Benjamin Rosenthal (D., N.Y.), Paul Sarbanes (D., Md.) and Charles Whalen (R., Ohio) had been briefed at the White House yesterday. I told Hackett I would check and be back in touch.

3. [redacted] Frank Slatinshek, Chief Counsel, House Armed Services Committee, called to ask if it would be possible for our people to check on the applicability of certain criminal statutes to the unauthorized disclosure of Agency information and I told him to check with the Internal Security Division of Justice.

I mentioned to Slatinshek the call from Cliff Hackett, House International Relations Committee staff, for a briefing on the [redacted] and Slatinshek saw no problems, as an exception to congressional guidelines.

4. [redacted] In the absence of Tim Ingram, Subcommittee on Government Information and Individual Rights, House Government Operations Committee staff, spoke to Jim Kronfeld and told him the Defense Appropriations Subcommittee briefing had been cancelled and that we could appear before their Subcommittee on Wednesday. I told Kronfeld that I thought we had better come to some terms before Wednesday on an agreed position on the Privacy Act amendments.

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6. [REDACTED] Representatives Leo Ryan (D., Calif.) and Helen Meyner (D., N.J.) visited the Agency for a breakfast meeting with the Director. Messrs. Duckett, DDS&T, Proctor, DDI, Blee, ADDO, [REDACTED], OCI, and Cary were also present. The conversation covered a variety of topics with most of the questions being asked by Mr. Ryan who is most concerned with the conduct of covert activities as reported under his amendment of 1974 to the Foreign Assistance Act and Agency involvement in domestic activities. Both Representatives expressed a desire to have frequent contact with the Agency (not necessarily requiring the Director's presence) in the future. We agreed to such sessions and contacts will be made with them through OLC.

25X1  
7. [REDACTED] Delivered for Ed Braswell and Clark McFadden, Senate Armed Services Committee; Guy McConnell, Senate Committee on Appropriations; and Frank Slatinshek, House Armed Services Committee, copies of a letter from the Director to the Comptroller General regarding the history of GAO audits of CIA, and two memoranda on the charges by Sam Adams in the May 1975 issue of Harper's magazine. Also delivered the letter to the Comptroller General to Ralph Preston, House Committee on Appropriations.

25X1  
8. [REDACTED] Delivered to the office of Senator Jacob K. Javits (N.Y.) for Winslow Wheeler biographic information on four Soviet personalities whom the Senator expects to meet.

25X1  
9. [REDACTED] Together with [REDACTED] 25X1A discussed with Ev Bierman, Minority Consultant, ~~House International Relations Committee~~, the proposed bill by Representative William S. Broomfield (R., Mich.) to establish a joint committee on intelligence. He asked that the suggestions made be submitted in a short paper and sent to him Monday.

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10. [REDACTED] Jim Kronfeld, Staff Counsel, House Government Operations Subcommittee on Government Information and Individual Rights, called asking if the Director's letter to Chairwoman Bella S. Abzug (D., N.Y.) concerning the Subcommittee's request for his appearance had been sent. I told him it would be delivered this afternoon.

25X1  
11. [REDACTED] Dick Leonard, Administrative Assistant to Representative Ken Hechler (D., W. Va.), called and asked certain questions concerning the Agency's handling of requests under the Freedom of Information Act. I explained our procedures and gave him the address of the Agency's Freedom of Information Coordinator.

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## COMMENTS

### Section 1 (Membership)

Members should be drawn from the committees of the House and Senate which now have oversight responsibilities in matters of intelligence rather than appointed from the general membership by the Speaker and the President of the Senate.

Members should be drawn from Armed Services, Judiciary and Government Operations Committees of both houses and Senate Foreign Relations and House International Affairs Committees. The ranking majority and minority members of each Committee would be designated by each committee to serve on the Joint Committee.

### Section 2 (Duties)

A Joint Committee should have all oversight responsibilities except for appropriations. Anything less does not remove the burden of having to respond to other committees. In effect, it worsens the situation since it creates yet another oversight committee to deal with.

Duty (6) is not clear. What does "surveillance of persons" mean? Many agencies have their own security investigation capability. The Joint Committee should only concern itself with the intelligence



community agencies. Duty (6) should read: "(6) all other departments and agencies, or components thereof, of the intelligence community as designated by the Director of Central Intelligence."

Section 2(c) should be revised to conform to the changes suggested above.

Section 4 should add clear requirements within the executive for the storage and control of classified information. Add the following to this section:

The Joint Committee shall store, protect and disseminate classified information in accordance with procedures established in consultation with the Director of Central Intelligence.

Section 7 is now totally unclear by the current situation in the House.

Section 8 is a lift from the Atomic Energy Act and is based on the espionage statutes. It does not meet the requirements for the protection of intelligence sources and methods since these elements seldom exist. The proposal for protecting intelligence sources and methods should be substituted.

Mr. Broomfield

A B I L L

To establish a Joint Committee on Intelligence Oversight.

Be it enacted by the Senate and House of Representatives  
of the United States of America in Congress Assembled,

Establishment

Section 1. (a) There is established a Joint Committee on Intelligence Oversight to be composed of fourteen members as follows:

(1) seven Members of the House of Representatives appointed by the Speaker of the House of Representatives of which four shall be of the majority party and three shall be of the minority party; and

(2) seven Members of the Senate appointed by the President pro tempore of the Senate of which four shall be of the majority party and three shall be of the minority party.

(b) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the joint committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the joint committee from their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

(c) A majority of the members of the joint committee shall constitute a quorum for the transaction of business, except that the joint committee may fix a lesser number as a quorum for the purpose of taking testimony. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as in the case of the original appointment.

(d) Service of a Senator as a member or as chairman of the joint committee shall not be taken into account for the purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate.

#### Duties of the Joint Committee

Sec. 2. (a) It shall be the duty of the joint committee to conduct a continuing study and investigation of the activities and operations <sup>and budgets</sup> of (1) the Central Intelligence Agency, (2) the Federal Bureau of Investigation, Department of Justice, (3) the United States Secret Service, (4) the Defense Intelligence Agency, Department of Defense, (5) the National Security Agency, and, (6) all other departments and agencies of the Federal Government insofar as the activities and operations of such other departments and agencies pertain to intelligence gathering or surveillance of persons.

(b) The joint committee is authorized to report to the House of Representatives and the Senate by bill or otherwise no later than June 30, 1977, with respect to the reorganization and improvement of agencies and departments of the United States within the jurisdiction of the joint committee as described in subsection (a).

(c) The Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Director of the Secret Service, the Director of the Defense Intelligence Agency, and the Director of the National Security Agency shall keep the joint committee fully and currently informed with respect to all of the activities of their respective organizations, and the heads of all other departments and agencies of the Federal Government conducting intelligence activities or operations or the surveillance of persons shall keep the joint committee fully and currently informed of all intelligence and surveillance activities and operations carried out by their respective departments and agencies. The joint committee shall have authority to require from any department or agency of the Federal Government periodic written reports regarding activities and operations within the jurisdiction of the joint committee.

#### Powers

Sec. 3. (a) The joint committee, or any subcommittee thereof, is authorized, in its discretion (1) to make expenditures, (2) to employ personnel, (3) to adopt rules respecting its organization and procedures, (4) to hold

hearings, (5) to sit and act at any time or place, (6) to subpoena witnesses and documents, (7) with the prior consent of the agency concerned, to use on a reimbursable basis the services of personnel, information, and facilities of any such agency, (8) to procure printing and binding, (9) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, and to provide assistance for the training of its professional staff, in the same manner and under the same conditions as a standing committee of the Senate may procure such services and provide such assistance under subsections (i) and (j), respectively, of section 202 of the Legislative Reorganization Act of 1946, and (10) to take depositions and other testimony. No rule shall be adopted by the joint committee under clause (3) providing that a finding, statement, recommendation, or report may be made by other than a majority of the members of the joint committee then holding office.

(b) Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or the joint committee, and may be served by such person as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. The provisions of sections 102-104 of the Revised Statutes (2 U.S.C. 192-194) shall apply in the case of any failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(c) With the consent of any standing, select, or special committee of the Senate or House, or any subcommittee, the joint committee may utilize the services of any staff member of such House or Senate committee or subcommittee whenever the chairman of the joint committee determines that such services are necessary and appropriate.

#### Classification of Information

Sec. 4. The joint committee may classify information originating within the committee in accordance with standards used generally by the executive branch for classifying restricted data or defense information.

#### Records of Joint Committee

Sec. 5. The joint committee shall keep a complete record of all joint committee actions, including a record of the votes

on any question on which a record vote is demanded. All records, data, charts, and files of the joint committee shall be the property of the joint committee and shall be kept in the office of the joint committee or such other places as the joint committee may direct.

#### Expenses of Joint Committee

Sec. 6. The expenses of the joint committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman or the vice chairman of the joint committee.

#### Amendment to H. Res. 138; Transfer of Data

Sec. 7. (a) Section 9 of H. Res. 138 of the Ninety-fourth Congress is amended to read as follows:

"Sec. 9. The authority granted herein shall expire on January 4, 1976."

(b) The Select Committee on Intelligence is authorized and directed to transfer to the joint committee all data, information, transcripts, and other documents in its possession or under its control.

#### Communication of Classified Information

Sec. 8. Whoever, lawfully or unlawfully, having possession of, or control over, any classified information--



(1) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with intent to injure the United States or with intent to secure an advantage to any foreign nation, upon conviction thereof, shall be punished by imprisonment for life, or by imprisonment for any term of years or a fine of not more than \$20,000 or both; or

(2) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with reason to believe such data will be utilized to injure the United States or to secure an advantage to any foreign nation, shall, upon conviction, be punished by a fine of not more than \$10,000 or imprisonment for not more than ten years, or both.

Effective Date

Sec. 9. This Act and the amendment made by it shall take effect on January 3, 1976.

CONGRESSIONAL OVERSIGHT  
A JOINT COMMITTEE ON INTELLIGENCE

I. Premise

A. Objective

1. Reverse trend of proliferation of sensitive operational information.
2. Assure public of effective oversight.

B. Jurisdictional Form

1. Parallel Executive Branch structure
2. Intelligence community via DCI
3. CIA

II. Congressional Oversight - DCI/CIA

A. General

1. Statutory Basis
  - a. National Security Act of 1947
  - b. CIA Act of 1949
  - c. Security for intelligence activities
2. Oversight Responsibilities
  - a. General legislation
  - b. Appropriations
  - c. Economy and efficiency
3. Committees
  - a. Legislative and General Oversight
    1. Armed Services
    2. Appropriations
    3. Historical Note - Government Operations

b. Others

1. Government Operations Committees, particularly Legislative and National Security Subcommittees.
2. Senate Foreign Relations
  - a. Oversight of all activities abroad via Ambassador/State.
  - b. Covert actions reporting.
3. International Relations Committee, Subcommittee on Oversight.
  - a. Special oversight of intelligence activities relating to foreign policy.
  - b. Covert action reporting.

c. Summary.

1. Access to sensitive intelligence information expanded dramatically, 93rd to 94th Congresses.
2. With Select Committees, 10 committees are laying claim to oversight of all or part of CIA activities.
3. Members have access to all committee records under House Rule XI 2(e)(2).

B. Chronological Developments

1. Benign Period - Early 1950's.
2. Late 1950's.
  - a. Sen. Mansfield's initiative for Joint Committee
  - b. Sputnik Era - interest - Soviet threat
3. Early 1960's.
  - a. Increased substantive intelligence interest.
    1. "Missile Gap"
    2. Cuban Missile Crisis
  - b. Continued Pressure to Increase Oversight
    1. U-2 flight of Gary Powers
    2. Bay of Pigs
    3. Sen. Russell consolidates CIA Armed Services and Appropriations hearings.

4. Late 1960's.
  - a. Joint Committee bill defeated.
  - b. Funding of National Student Association exposure.
  - c. ABM debate.
  - d. Bill to circumscribe executive action through CIA.
5. 1970's.
  - a. Oversight committees fading in strength.
  - b. House oversight reinvigorated by appointment of Lucien Nedzi as Chairman of Intelligence Subcommittee.
  - c. Oversight committees keeping more detailed records.
  - d. Increased use of substantive intelligence product within Congress.

C. Current Congressional Procedures.

1. Operational/Agency Matters.
  - a. Limit to Armed Services and Appropriations subcommittees.
  - b. Covert action (P. L. 93-559) report to foreign relations committees.
2. Substantive Intelligence.
  - a. Any committee within their jurisdiction.
  - b. Sanitize transcripts.
3. Legislation.
  - a. Armed Services for amendments to 1947 and 1949 Acts.
  - b. General Legislation impinging upon DCI/CIA authorities/responsibilities requires cooperation of other committees.

- D. Options for Increased Security.  
(Sine qua non - protect supporting sources and methods)
1. Committees not maintain records of sensitive information:
    - a. Criticism of committees.
    - b. Help committees distance selves from responsibilities.
  2. Change House Rules to Limit Access to Sensitive Operational Information.
  3. Continue present course and assume sensitive material will be handled with wisdom and restraint.
  4. Joint Committee on Intelligence.
    - a. Rules to deny access to sensitive information beyond committee membership.
    - b. Incorporate into Joint Committee resolution Intelligence Sources and Methods legislation.

III. Pros and Cons of a Joint Committee on Intelligence.

A. Pros.

1. Reverse trend towards proliferation.
2. Consolidate into one committee all oversight except for Appropriations
  - a. Improve the exercise of legislative leadership
  - b. Improve credibility of oversight
  - c. Source of credible spokesmen to defend Agency.
  - d. Opportunity for frequent, in depth briefing.
  - e. Elimination of redundant briefing
  - f. Full-time professional staff to assist both committees and intelligence community.
3. Opportunity to limit access to sensitive intelligence information to membership of committee by rule change.
4. Opportunity to enact as part of the resolution more effective deterrents against the disclosure of sensitive intelligence sources and methods information.

5. Provide a strong base within Congress to withstand accommodations on sensitive matters
6. Satisfy a number of present critics who believe oversight is ineffectual and silence their criticism at least on this issue.
7. Those who have been in the forefront of defending the Agency are nearing the end of their service and replacements in the present structure of oversight are unlikely to wield equivalent power.

B. Cons.

1. May not necessarily resolve jurisdictional battles, special overview authority.
2. Present committee leadership could react negatively to the proposal.
3. Improved chances for encroachment upon executive responsibilities, intrusion into policy areas and doctrine of separation of powers.
4. Create Board of Directors which may curtail executive initiatives and creativeness.
5. Full-time professional staff with possible attendant problems of interference with management.
6. Some sentiment within Congress against joint Committees in principle as violating the bicameral legislature under the Constitution.

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(c) A majority of the members of the joint committee shall constitute a quorum for the transaction of business, except that the joint committee may fix a lesser number as a quorum for the purpose of taking testimony. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as in the case of the original appointment.



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hearings, (5) to sit and act at any time or place, (6) to subpoena witnesses and documents, (7) with the prior consent of the agency concerned, to use on a reimbursable basis the services of personnel, information, and facilities of any such agency, (8) to procure printing and binding, (9) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, and to provide assistance for the training of its professional staff, in the same manner and under the same conditions as a standing committee of the Senate may procure such services and provide such assistance under subsections (i) and (j), respectively, of section 202 of the Legislative Reorganization Act of 1946, and (10) to take depositions and other testimony. No rule shall be adopted by the joint committee under clause (3) providing that a finding, statement, recommendation, or report may be made by other than a majority of the members of the joint committee then holding office.

(b) Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or the joint committee, and may be served by such person as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. The provisions of sections 102-104 of the Revised Statutes (2 U.S.C. 192-194) shall apply in the case of any failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(c) With the consent of any standing, select, or special committee of the Senate or House, or any subcommittee, the joint committee may utilize the services of any staff member of such House or Senate committee or subcommittee whenever the chairman of the joint committee determines that such services are necessary and appropriate.

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(b) The Select Committee on Intelligence is authorized and directed to transfer to the joint committee all data, information, transcripts, and other documents in its possession or under its control.

#### Communication of Classified Information

Sec. 8. Whoever, lawfully or unlawfully, having possession of, or control over, any classified information--

(1) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with intent to injure the United States or with intent to secure an advantage to any foreign nation, upon conviction thereof, shall be punished by imprisonment for life, or by imprisonment for any term of years or a fine of not more than \$20,000 or both; or

(2) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with reason to believe such data will be utilized to injure the United States or to secure an advantage to any foreign nation, shall, upon conviction, be punished by a fine of not more than \$10,000 or imprisonment for not more than ten years, or both.

Effective Date

Sec. 9. This Act and the amendment made by it shall take effect on January 3, 1976.